

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

DATE: 4-27-05

CLERK'S MINUTES OF HEARING

HEARING BEFORE: SPECIAL MASTER VICKIE L. GABIN

CASE NAME & NUMBER: STATE OF NM V. ARAGON, 69cv07941-BB-ACG

RIO CHAMA ADJUDICATION, SECTIONS 3, 5 & 7

DATE OF HEARING: April 12, 2005 TIME: 10:00 a.m.

COUNSEL:

PLAINTIFF:

ED NEWVILLE

ARIANNE SINGER

DEFENDANTS:

MARY HUMPHREY, GARY FRIEDMAN

FRED WALTZ, JOHNUTTON

PETER SHOGNFELD, PIERRE LEVY

NOTES: RE: ORDER SETTING STATUS CONFERENCE (# 7788 filed 3-17-05)

The status conference took place as scheduled at USDC in Santa Fe, N.M. Matters discussed included:

- 1) general status of adjudication of Sections 3, 5 & 7. Sec 5 almost completed; Sec 3 could be partly closed by end of year; large number of consent orders & other orders to complete in Sec 7.
- 2) U.S. Wild & Science Review Claims (Pursuant to order # 7660 filed 11-18-04). US reported negotiations w/ state proceeding req for additional time until next status conference. Parties are to produce a detailed interim status report.
- 3) Irrigation water Requirements (Pursuant to order # 7761 filed 2-15-05) State reported presenting proposed modified

COURT REPORTER: NONE

OTHERS IN ATTENDANCE:
SEE ATTACHED LIST

Blaney-Cridder technology to determine Consumption use of water by crop to Section 3.5 & 7; meet specific programs for determining CIR & PDR in Sec 5; there has been no response. Experts doing the calculations will meet soon with consultants for a regular basis to resolve any disagreements on how final numbers determined, when agreement is reached parties are to advise the Court

4) Prioritized proceedings; discussion of coordinating priorities with orders to show Cause; State is to write status report before next status conference & propose how to proceed if it has been worked out to coordinate the two or how to proceed if it has not been worked out.

5) Disputed Subfiles - CHR 4-004-0039 & CHR 4-003-0001. atty for one party presented statement of issues, discussing non attendance of atty and late filing of disclosures
CHRB-002-0001 & CHRB-002-0002. State will contact claimant to accomplish agreement on claims; if cannot agree will file motion to bring matter to close.

6) CHRB-009-0001 & CHRB-009-0021 - atty reported clients working in property and work to resolve claims; State reported that may be able to look at the property soon

7) OSE: Hydro survey team will be working in Sec 3 & Sec 7 this summer

8) Amendments to NM Rules of Civil Procedure Rule 1-004, Jan 4, 2005 discussion of how changes in State's procedural rules for service would be implemented in accordance with Fed R. Civ P.

9) Items for next Status Conference, June 14, 2005, in Santa Fe:
Follow up on: CIR; matters having to do with property determination; procedure for orders to show Cause; completing Sec 5; non attendance of atty at status conference.

CHAMA ADJUDICATION

State of New Mexico ex rel. State Engineer v. Aragon, 69cv07941-BB-ACE
Sections 3, 5 & 7 General Status Conference

Tuesday, April 12, 2005

ATTENDANCE

Please Print

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Please See Next Page

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Sections 3, 5 & 7 General Status Conference

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